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Security Council Committee established pursuant to resolution 1970 (2011) concerning the Libyan Arab Jamahiriya

Letter dated 18 July 2011 from the Permanent Representative of Malaysia to the United Nations addressed to the Chair of the Committee

I have the honour to refer to your letter of 25 March 2011, requesting Member States to comply with the obligations set forth in paragraph 25 of Security Council resolution 1970 (2011) and to report to the Security Council Committee established pursuant to resolution 1970 (2011) concerning the Libyan Arab Jamahiriya on the steps taken with a view to implementing that resolution.

I have the further honour to attach herewith the Government of Malaysia's response to the Committee (see annex), and to request that it be circulated to Member States of the United Nations.

(*Signed*) Hussein **Haniff**
Ambassador
Permanent Representative of Malaysia

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Annex to the letter dated 18 July 2011 from the Permanent Representative of Malaysia to the United Nations addressed to the Chair of the Committee

Report of the Government of Malaysia submitted pursuant to Security Council resolutions 1970 (2011) and 1973 (2011)

1. Malaysia remains committed to the implementation of the provisions of Security Council resolutions 1970 (2011) and 1973 (2011) concerning the Libyan Arab Jamahiriya.

2. In this regard, Malaysia is pleased to submit to the Security Council Committee established pursuant to resolution 1970 (2011) concerning the Libyan Arab Jamahiriya the steps which Malaysia has taken with a view to implementing the obligations contained in resolutions 1970 (2011) and 1973 (2011) that are applicable to Malaysia.

Evacuation

3. From 23 February to 2 March 2011, Malaysia successfully evacuated 130 of its nationals and 2,642 foreign nationals of Pakistan, United Kingdom, India, Thailand, Philippines and Bangladesh from Libya during its evacuation mission.

Arms embargo

4. Malaysia, through its relevant ministries and agencies, conforms to the arms embargo imposed by resolutions 1970 (2011) and 1973 (2011). A number of domestic laws are already in place which may be utilized to prosecute perpetrators of arms related offences. These include:

(a) The Corrosive and Explosive Substances and Offensive Weapons Act (1958), which criminalizes the possession of corrosive and explosive substances and the carrying of offensive weapons;

(b) The Arms Act (1960), which criminalizes the possession or use of arms and ammunition without relevant licences and permits;

(c) The Customs Act (1967), which regulates the import and export of all goods, including prohibited materials under treaty obligations;

(d) The Strategic Trade Act (2010), which authorizes the enforcing agencies to investigate and prosecute the alleged individuals involving export of weapons and dual-use equipment used specifically in the development of weapons of mass destruction.

5. Malaysia views seriously its obligations to the international community. To this end, Malaysia has included Libya in the list of Restricted End Users on which it has imposed an arms embargo and which need to be granted a transit permit for the trading of military equipment under the Strategic Trade (Restricted End-Users and Prohibited End-Users) Order 2010.

Travel ban

6. The Immigration Department of Malaysia takes necessary measures to prevent entry into or transit through its territories of the individuals as designated by the Committee according to the applicable domestic laws and regulations.

Assets freeze

7. Malaysia has issued circulars to all relevant financial institutions in order to freeze funds, other financial assets and economic resources that are directly or indirectly owned or controlled by those individuals designated by the Committee in accordance with the applicable provisions of the Central Bank of Malaysia Act (2009) and the Exchange Control Act (1953).

8. It was reported that the Central Bank of Libya is one of the shareholders of the Arab Insurance Group, an insurance company that is headquartered in Bahrain and has a branch located in Labuan. In this connection, the Labuan Financial Services Authority, a regulatory body that spearheads and coordinates efforts to promote and develop Labuan as an international business and financial centre, reported that the Insurance Group has taken the necessary measures to ensure that funds owned by the Central Bank of Libya are frozen in compliance with the two Security Council resolutions.

Ban on flights

9. Malaysia will scrutinize any landing or overflight permission application by any aircraft registered in the Libyan Arab Jamahiriya or owned or operated by Libyan nationals or companies.

10. Malaysia reaffirms its commitment to its obligations under the Charter of the United Nations and stands ready to extend its cooperation to the Panel of Experts and the Committee.